

REFERENCE TITLE: **homeowners' associations; assessments; amenities**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

# **HB 2769**

Introduced by  
Representative Mason

AN ACT

AMENDING TITLE 33, CHAPTER 16, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 33-1815; RELATING TO PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Title 33, chapter 16, article 1, Arizona Revised Statutes,  
3 is amended by adding section 33-1815, to read:

4           33-1815. Assessments: limiting amenities

5           NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS AND AFTER A  
6 WRITTEN REQUEST FROM THE MEMBER, A MEMBER OF THE ASSOCIATION MAY REQUIRE THE  
7 BOARD OF DIRECTORS TO ESTABLISH THE PROPORTIONATE COST FOR THAT MEMBER FOR  
8 ANY AMENITY PROVIDED TO ALL OF THE MEMBERS OF THE ASSOCIATION. ON  
9 DESIGNATION OF THE PROPORTIONATE COST, THE MEMBER MAY WITHDRAW FROM THE  
10 OWNERSHIP AND USE OF THAT AMENITY BY WRITTEN NOTICE TO THE BOARD OF  
11 DIRECTORS. NO LATER THAN SIX MONTHS AFTER THE DATE THAT NOTICE WAS RECEIVED  
12 BY THE BOARD, THE MEMBER'S REGULAR ASSESSMENT SHALL BE REDUCED PROSPECTIVELY  
13 AND PERMANENTLY BY THAT AMOUNT AND NO FURTHER ASSESSMENT FOR THAT AMENITY MAY  
14 BE ASSESSED OR COLLECTED FROM THAT MEMBER.